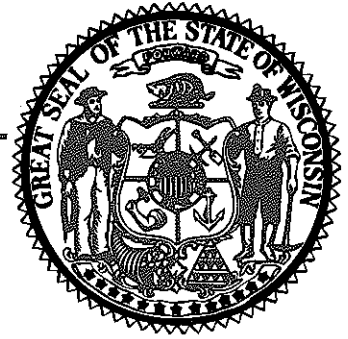


FRED A. RISSE

Wisconsin State Senator



Testimony on Senate Bill 182, the Clean Elections Bill, 1/29/08

There is no question that Wisconsin's campaign finance system is broken. The current structure forces candidates to concentrate almost exclusively on raising money rather than connecting with voters, debating issues, and forming substantive public policy positions. This type of campaign environment places power in the hands of a few special interest groups and disenfranchises the average voter.

Senate Bill 182, the Clean Elections bill, seeks to overhaul the current system in order to ensure that big ideas, rather than big money will determine election outcomes. The new system of public financing will open-up the campaign field to candidates who would otherwise have insufficient financial resources to run a competitive campaign.

The bill would create a 100% public financing system for candidates running for state races. To qualify to receive public grants, "Clean" candidates would be required to collect a set number of \$5 contributions from the district in which they are running. The candidate would then receive a grant ranging from \$50,000 to \$2 million, depending on the office sought.

In addition, Clean candidates running against traditionally funded candidates may receive matching funds to ensure a fair campaign. As a traditional candidate's spending increases past the amount of the grant, the Clean candidate will receive dollar for dollar matching funds of up to 2.5 times the original grant. A Clean candidate may also receive matching funds for independent expenditures made in opposition to them or in support of their opponent.

Publicly financed campaigns in Wisconsin couldn't come soon enough. The 2008 state legislative races already appear poised to break previous spending records and the current State Supreme Court contest is already awash with special interest money.

The Clean Elections bill is an excellent step forward to restore the voters' faith in our democratic system. It's time that Wisconsin passed comprehensive campaign finance reform for the public good.



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Testimony of the Wisconsin Democracy Campaign on Senate Bill 182 and Senate Bill 160

Senate Committee on Campaign Finance Reform, Rural Issues and Information Technology

January 29, 2008

Thank you for holding this public hearing. The Wisconsin Democracy Campaign strongly supports Senate Bill 182, which would create a system of full public financing of all state races modeled after the highly successful systems already in place in Arizona and Maine.

Critics of this kind of reform are fond of saying it's wrong to force taxpayers to pay for election campaigns. This is an empty argument, a lame excuse for inaction. Taxpayers are already forced to pay for election campaigns, and if you tally up the cost of all the public policy favors that are granted to big campaign donors, we are paying a great deal more for election campaigns through the back door than we would if we paid for them directly through a system like the one that would be created under Senate Bill 182.

The issue before you is not whether taxpayers should pay for elections. We always will, one way or the other. We pay for every slice of budget pork, every tax break, every perk, every favor big donors receive. Taxpayers are paying through the nose for election campaigns the way they are financed today. And we have no choice in the matter. All of us pay for how special interests are rewarded for their campaign donations, whether or not we agree with these policies.

The issue before you is ownership. Senate Bill 182 would replace the special interest-owned elections we have today with voter-owned elections.

Along with creating a system of voter-owned elections, SB 182 also requires full disclosure of special interest-sponsored electioneering masquerading as "issue advocacy," thereby closing a gaping loophole in Wisconsin's campaign finance laws that has rendered our state's disclosure laws and campaign contribution limits effectively meaningless. In 2006, special interests spent an estimated \$15 million on secret electioneering in the form of undisclosed "issue ads."

However, the approach to disclosure in SB 182 does not take into account the U.S. Supreme Court's ruling last June on a similar provision in the federal Bipartisan Campaign Reform Act of 2002, commonly known as the McCain-Feingold law. Full disclosure of special interest-sponsored election

[illegible]

1. The following information was obtained from the records of the Department of the Interior, Bureau of Land Management, regarding the land ownership of the area described in the preceding paragraph:

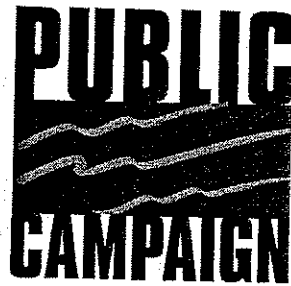
advertising and restrictions on the source of funding used to pay for these ads are constitutionally permissible. But it needs to be done in the way it is handled in the recently introduced December 2007 Special Session Senate Bill 1, which takes into account the latest U.S. Supreme Court ruling.

The Democracy Campaign also strongly supports Senate Bill 160, which requires out-of-state political committees to play by the same disclosure rules as in-state committees. This measure was passed by the Legislature last session and signed into law by the governor as 2005 Wisconsin Act 176, but it was not incorporated into the state statutes under peculiar circumstances and now must be reenacted.

A year after this law was made it was unmade, wiped off the books by an administrative decision by the state Revisor of Statutes. We've been told by legislative attorneys that this happened because on the same day Act 176 became law, another bill – Assembly Bill 428 – was enacted as 2005 Wisconsin Act 177. That bill's purpose was to cleanse state law of the provisions of a campaign finance reform measure laced with a poison pill that was enacted in 2002 as part of a budget repair bill but was later struck down in court because the judge found the poison pill unconstitutional as expected.

The lawyers responsible for maintaining order in the state statutes decided that Act 177 trumped Act 176, even though Act 176 reflected the will of the Legislature expressed in 2006 and Act 177 merely cleaned up a mess created by the Legislature nearly four years earlier – a mess, by the way, that had nothing to do with making out-of-state donations more transparent.

We urge you reenact this disclosure legislation.



CLEAN
MONEY
CLEAN
ELECTIONS

TESTIMONY OF NICK NYHART

President and CEO, Public Campaign

**Submitted to the Wisconsin
Committee on Campaign Finance Reform, Rural Issues
and Information Technology**

January 29, 2008

My name is Nick Nyhart. I am the president and CEO of Public Campaign, a national organization based in Washington, DC that addresses the problems of money in American politics. During my decade at Public Campaign, I have worked to pass Clean Elections, or full public financing laws, at the state and national level. Full public financing programs are now in place in seven states and two cities nationwide.

I am submitting this testimony in favor of Senate Bill 182, legislation that would bring full public financing of elections to state races in Wisconsin. This legislation is modeled on successful full public financing laws nationwide. In Arizona, Connecticut, and Maine full public financing is available for all state elections; in North Carolina, for judicial elections; in New Mexico, for the Public Regulation Commission; in Vermont, for governor and lieutenant-governor races; and in New Jersey, for a 2007 legislative pilot program. Public financing is also on the books in Albuquerque, New Mexico and made its debut last year in Portland, Oregon. In the states where Clean Elections has been implemented, it is performing well. More than 200 officials are in office that used Clean Elections to run their races in Arizona, Connecticut, Maine, New Jersey, and North Carolina. In 2006, Democratic Arizona Governor Janet Napolitano won her second race as a publicly funded candidate.

In the past 10 years in Wisconsin, total campaign spending by candidates for the legislature has nearly doubled, from \$4.8 million in 1994 to \$9 million in 2006. Candidates vying for Senate seats in competitive districts have seen a spending increase of nearly 150 percent, according to the Wisconsin Democracy Campaign.

If Senate Bill 182 becomes law, candidates would no longer need to raise thousands of dollars in private contributions. Instead, after demonstrating broad public support by raising a set number of small contributions, candidates would receive sufficient money to run a competitive race.

In the states that have employed Clean Elections systems over the past several election cycles, we are seeing impressive results:

- There is a high level of participation in the program. Eighty-four percent of the Maine legislature, 42 percent of the Arizona legislature, and nine out of 11 statewide officials in Arizona, ran using the system. In New Jersey in 2007, all nine seats up for election under the state's pilot public financing program were won by Clean Elections candidates. Connecticut, which begins its system statewide in 2008, saw a special election contest where candidates from both parties used the system.
- In North Carolina, where full public financing is available for candidates for top judicial posts, two-thirds of the candidates running for these seats in 2006, including five out of the six winners, used the system.
- As I mentioned before, Gov. Janet Napolitano of Arizona has won twice using the system. She speaks about how the law has allowed her to spend her campaign time with voters, as opposed to prospective donors. She much prefers the system to running with private funds, which she did in a previous successful race to become attorney general.
- Women, African-Americans and Latinos who have run Clean are especially likely to say that they would not have become candidates were it not for the public financing. Of the 34 women who won office last November in Arizona, 21 ran as Clean Elections candidates, including 18 of 31 legislators. In Maine, 49 women are serving—39 in the House and 10 in the Senate—who used Clean Elections.
- The law has put a premium on grassroots organizing and freed up candidate time to meet with voters rather than thousand dollar check writers
- Participation is bi-partisan. Among Clean Elections most important supporters are former Arizona Corporation Commissioner Marc Spitzer and Connecticut Governor Jodi Rell, both Republicans.

Clean Elections is working. These states are an example for all of us that elections can be about all voters and not just those wealthy few able to contribute to campaigns. The non-stop rise in the cost of political campaigns puts elected officials in an awkward position. Instead of being able to focus on the work their constituents elected them to do, elected officials are compelled to spend too much of their time dialing for dollars and attending fundraisers, lending an ear to the interests who can write big checks.

Wisconsin isn't alone in looking at Clean Elections as the solution to our pay-to-play political system. Activists in 20 states are actively pushing for Clean Elections. At the federal level, Assistant Senate Majority Leader Dick Durbin (D-IL) and Sen. Arlen Specter (R-PA) have introduced the Fair Elections Now Act, legislation that would bring full public financing of elections to the U.S. Senate. A companion bill is expected to be soon introduced in the House.

And the presidential race has been rife with discussions of the role of money in the political process. From tainted campaign contributions to the influence of lobbyist

money, debates and stump speeches are filled with rhetoric on the influence of campaign contributions. At the height of the Democratic primary, all eight candidates announced their support for full public financing of elections. And Sen. John McCain (R-AZ) has been a vocal proponent of the system in Arizona as well as in other states.

By adopting full public financing for elections, the legislature will be demonstrating to all Wisconsin residents that their votes and small contributions matter as much as those who can afford to give much more. We are living in a time when voters have identified corruption in government as one of their top tier concerns at the polling booth. One need only look at the exit polls for the 2006 election. Forty-two percent of voters said corruption and ethics in government, more than any other issue, was extremely important to them. Wisconsin deserves a political system where success is not based on how much money candidates can amass, but rather their ideas and their ties to the community.

The momentum is growing. We can create a new system based on the widely shared American values of fair competition, equal opportunity, and inclusive participation. It is an idea whose time has come.

I urge your support of comprehensive public financing legislation this year.

1. The first part of the paper is devoted to the study of the properties of the function $f(x)$ defined by the equation $f(x) = \int_0^x f(t) dt$. It is shown that $f(x)$ is a constant function, and its value is determined by the initial condition $f(0) = 1$.

2. In the second part, we consider the problem of finding the maximum value of the function $f(x)$ on the interval $[0, 1]$. It is shown that the maximum value is attained at $x = 0$ and is equal to 1. This result is obtained by using the fact that $f(x)$ is a constant function.

3. Finally, we discuss the question of the uniqueness of the solution to the initial value problem. It is shown that the solution is unique, and its value is determined by the initial condition $f(0) = 1$.

4. The paper concludes with a summary of the results and a list of references.



church women united in wisconsin

POSITION STATEMENT ON CAMPAIGN FINANCE REFORM

Church Women United in Wisconsin believe severing the influence of money in politics is the key that unlocks the door to the rest of our public agenda.

Expensive election campaigns funded increasingly by big contributions from wealthy individuals, corporations and political action committees are undermining our basic democratic principles. Politicians spend an increasing proportion of their time chasing major campaign donations instead of focusing on the issues that affect all of their constituents. Big campaign contributors buy access and influence officials. Average citizens feel they no longer have much of a voice in their government.

There is a constitutional way to get money out of politics and to free politicians from the influence of large contributors.

Church Women United in Wisconsin join with Church Women United in Maine as we commence our efforts toward the passage of Wisconsin state legislation similar to the Maine Clean Election Act.

